

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT - 7 2005

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DUNCAN J. McNEIL, III,

Plaintiff,

vs.

UNITED STATES, et al.,

Defendants.

No. CV-05-304-AAM

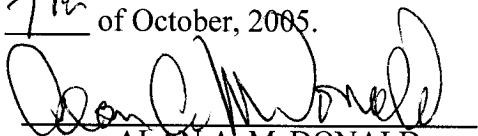
ORDER OF DISMISSAL

This action was transferred here from the Southern District of West Virginia. It is the latest in a series of nearly identical actions which the plaintiff has filed in other districts in an effort to circumvent the undersigned's pre-filing review order and a subsequent order barring plaintiff from proceeding *in forma pauperis* on any matter. For reasons already set forth in the orders of dismissal entered in those other actions (Ct. Rec. 5 in CV-05-200-AAM; Ct. Rec. 8 in 05-211-AAM; Ct. Rec. 6 in 05-218-AAM; Ct. Rec. 13 in 05-249-AAM; Ct. Rec. 6 in 05-263-AAM; and Ct. Rec. 8 in 05-281-AAM), this action is also **DISMISSED with prejudice**.

Plaintiff shall not be allowed to file any further documents in the captioned matter, with the exception of a Notice of Appeal to the Ninth Circuit Court of Appeals. If plaintiff chooses to appeal, this order serves as this court's notice that the appeal is not taken in good faith and will not be certified for appeal by this court. 28 U.S.C. §1915(3) and Fed. R. App. P. 24(a).

1 **IT IS SO ORDERED.** The District Executive shall enter judgment accordingly and
2 forward a copy of the judgment and this order to plaintiff McNeil.

3 **DATED** this 7th of October, 2005.

4 
5 ALAN A. McDONALD
6 Senior United States District Judge